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## Section I - Executive Summary

Low-income New Yorkers are faced with multifaceted challenges of inflation, high energy costs, high housing costs, and continued market impacts from the Covid-19 pandemic. The Weatherization Assistance Program (WAP) aims to relieve these stresses by making homes healthier, more energy efficient, and more affordable. WAP has played a key role in reducing carbon emissions and increasing green jobs while simultaneously decreasing energy costs for low-income residents. The Bipartisan Infrastructure Law (BIL) will build on the historic strength of this program by expanding funding for the next five years. BIL funding align with the NYS Climate Leadership and Community Protection Act (CLCPA) of 2019. The CLCPA requires NYS to reach a 40% greenhouse gas reduction by 2030 and at least an 85% greenhouse reduction by 2050. With at least 31% of the state's current greenhouse gas emissions coming from buildings, WAP recognizes the importance of aligning the BIL funds with a decarbonized approach.

The Bipartisan Infrastructure Law (BIL) was enacted on November 15, 2021, with the US Department of Energy releasing specific guidance under Weatherization Program Notice BIL 22-1 on March 30, 2022.—New York State DHCR’s Weatherization Assistance Program (WAP) will distribute \$289,714,086 of BIL funds for the purpose of enhancing energy efficiency to provide relief from high energy burden through savings and improvements to the homes of low-income families in the most disadvantaged communities<sup>1</sup> (DAC) in all 62 counties of NYS. DHCR will use the recently compiled NYSEERDA DAC map<sup>2</sup> to identify and target census tracts for the work. Subgrantees will prioritize and align property selection with the states Disadvantaged Communities' (DAC) goals, of using at least 40% of state funds within DAC census tracts. . In addition to lowering energy costs and reducing carbon emissions, this funding will significantly expand employment opportunities within weatherization and expand workforce training opportunities for green jobs.

New York’s plan for the use of BIL funds is consistent with the policies and strategies of the NYS Weatherization Assistance Program. To address the increase in funding and the need to expend BIL funds in a manner consistent with the BIL requirements, DHCR has revised the current program year Weatherization Plan in the following manner:

1. Expand the production capacity of existing sub-grantee network of weatherization providers through additional funding and expanded training.
2. Solicit and procure additional “temporary subgrantees” that will assist with the increased production demands.
3. DHCR is coordinating with The City University of New York (CUNY) and the State University of New York (SUNY) to create a comprehensive certified training and apprenticeship program to expand the weatherization workforce.
4. In addition to a workforce development program, DHCR will coordinate with existing training and technical assistance providers, NYSEERDA, and other entities to expand capacity building training for existing subgrantees.
5. Expand Grantee staffing to support and implement the BIL program

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<sup>1</sup> [LMI-dac-criteria-fact-sheet.pdf](#)

<sup>2</sup> [Disadvantaged Communities - NYSEERDA](#)

6. Expand Grantee information systems to enhance carbon emissions reduction tracking.
7. Pilot renewable energy strategies beyond weatherization as special projects to improve carbon reduction and workforce experience with new technologies.

This plan describes DHCR's strategy to successfully administer the Weatherization funding made available through BIL in a manner that meets all federal requirements while leveraging opportunities and achieving the goals of NYS Climate Leadership and Community Protection Act.<sup>3</sup>

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<sup>3</sup> [Our Climate Act \(ny.gov\)](https://www.nysenate.gov/legislation/bills/2022/1000)

## **Section II – Budget**

### **II.1 Program Overview**

The Weatherization Assistance Program (the “Program”) is administered in New York State by the Division of Housing and Community Renewal (DHCR), through its Office of Housing Preservation. The Program provides energy services to income-eligible individuals and families to improve the energy efficiency of their dwellings and to reduce their housing expenditures for fuel. Since the inception of the Program in 1977, more than 600,000 dwellings have been weatherized in New York.

Priority for weatherization activities is given to households with children, the elderly, and persons with disabilities. Funds are also used to weatherize the dwelling units of homeowners and renters with high fuel costs in relation to their household income. Some of these households are identified by a local office for the aging or local department of social service. The BIL program will prioritize weatherization activities within DAC census tracts.

Program services are delivered through a statewide network of local service providers, referred to as subgrantees. Subgrantees include community action agencies, other community-based not-for-profit organizations, and local governmental agencies. Under contract with DHCR, subgrantees perform several services, including a) identification of eligible clients; b) evaluation of dwelling units to be weatherized; c) installation of energy-saving measures; d) identification and mitigation of related health and safety concerns; e) supervision of weatherization work performed by staff or subcontractors; f) maintenance of client and program files; and g) preparation of regular management and fiscal progress reports. DHCR has the responsibility for overall monitoring and oversight and provides an ongoing training program to improve services. DHCR requires that subgrantees follow sound internal management policies and provide skilled workmanship, high quality materials, and timely production of units. The performance of these subgrantees is evaluated on a continuing basis throughout the program year

The Weatherization Assistance Program provides significant contributions to the State’s economy and to the well-being of low-income residents. Each dollar invested in program activities will result in a savings of about three dollars in energy costs over the life of the installed measures – money that is returned to local economies across the State. The health and safety work the Program funds prevents illness and injury and helps preserve housing affordability.

### **II.2. Program Budget**

#### *Funding for the 2023-2028 Program Year*

DHCR expects to receive \$289 million dollars over five years as awarded by the US Department of Energy (DOE). DHCR will allocate the funds to Subgrantee allocation, training and technical assistance, and administration costs, defined in detail below.

DHCR will allocate program funding to each county utilizing the existing DOE approved WAP formula in coordination with a subgrantee application process.

- Up to \$217 million will be available for Subgrantee allocation. The formula includes factors related to income-eligible population and climate. Additionally, a portion of the total funding is reserved to provide a minimum level of funding to each county where the allocation formula did not generate significant program funding. Subgrantees will be eligible to apply for a BIL award based on performance and production criteria. The maximum available award will not exceed the funding-based allocation for Weatherization

Program Year 2022. New York assigns a subgrantee to cover each county in the State, to provide weatherization services to the eligible population. In urban counties, there is typically more than one subgrantee serving each county, each assigned to a specific service area. In non-metropolitan counties subgrantees typically serve an entire county or a two-county area.

- The application process will permit each qualified subgrantee to receive a maximum up to their annual allocation for regularly allocated WAP funds as stated in the WAP State Plan, thus potentially doubling their annual allocation. In addition, a plan for expenditure and capacity building and a DAC prioritization list will be part of the BIL application process.

A maximum of \$217 million will be reserved for subgrantees; their production, H&S activities, Vehicle and Equipment purchases, as well as any additional Audit and Insurance costs over the BIL contract period.

Up to \$50,529,815 million will be retained for Training and Technical Assistance over the five-year grant contract period. These funds will be directed towards a workforce development program that will include an apprentice component and significant capacity building for our existing network of subgrantees to successfully expand their capabilities.

No more than Fifteen percent (15%) or \$43 million of our total BIL contract will be reserved for administration by both the Subgrantee and Grantees, with up to 7.5% of that to be reserved for the Grantee to support the program buildout, implementation, monitoring, and evaluation over the BIL contract period.

<b>BUDGET AND PRODUCTION PLANNING</b>	
	<b>TOTALS FOR 5 YEARS</b>
<b>Total Allocation</b>	\$ 289,714,086
<b>Program Allocation</b>	\$ 239,184,271
<b>T&amp;TA Allocation</b>	\$ 50,529,815
<b>Total Administration</b>	\$ 43,457,113
<b>Program Operations</b>	\$ 144,857,043
<b>Health and Safety</b>	\$ 23,918,427
<b>Vehicles &amp; Equipment</b>	\$ 23,918,427
<b>Other (audits, insurance, etc.)</b>	\$ 3,033,261

New York will provide funds to existing subgrantees based upon their compliance with all State and Federal requirements and the successful completion of their previous program year production goals. Many subgrantees will receive BIL allocations that will double their annual DOE allocation. Additionally, DHCR proposes to retain flexibility to add or change subgrantees to meet the additional obligations created by BIL. The Subgrantee contract and budget period for BIL funds will begin no later than July 1, 2023 and end no later than June 30, 2028. This will allow DHCR as the Grantee, to prepare and establish additional contracts as outlined in this report while ensuring subgrantees have sufficient time for production and permit timely

expenditure of funds in accordance with BIL goals and milestones.

Please note, the Grantee will manage Federal Funds in a prudent, effective, and efficient manner to accomplish program objectives and shall take the necessary steps to ensure that funds are expended within the grant project period. Any unallocated T&TA funds may also be added to production funding by Program Year 2025 based on program evaluation to facilitate program objectives. Allocations to individual subgrantees will be subject to a review of production and expenditures during the 2023 Program Year and adjusted downward or incrementally funded where DHCR determines that the 2023 allocation may exceed current capacity.

Program funding is allocated by a formula which factors in climate (heating and cooling degree days) and the share of low-income households in each county (see Appendix II). This allocation methodology is based on the method used by DOE to allocate Program funding to the States.<sup>4</sup> <sup>5</sup>Based on this methodology the BIL program will use the maximum and minimum funding allocation derived by formula as the ceiling and floor for BIL funding applications. ~~[OBJ]~~

### **II.3. Subgrantee Selection**

Existing subgrantees will be given the first right to participate in BIL through an application process. The application will be evaluated based upon geographic need, agency capacity, and efficacy of the organization. The maximum BIL award for any Subgrantee will not exceed their annual allocation under WAP PY22 allocation as defined by the state plan and allocation formula. This ensures continued, even distribution of BIL and WAP funds based on area served and weather impact, while allowing any qualified Subgrantee agency the ability to increase their capacity and production impacts during the BIL contract period.

Additional temporary subgrantees will be identified through state issued Notice of Funding Availability (NOFA). In advance the NOFA, HCR will undertake a statewide outreach campaign to identify potential new temporary subgrantees. This will include outreach to groups recommended by subgrantees, contacting a preexisting pool of temporary subgrantees from the American Recovery and Reinvestment program previously overseen by DHCR, and specific outreach to Tribes to the greatest extent possible. Selection of a new temporary subgrantee will be based on a proposal submitted to DHCR in response to the NOFA, which will be evaluated by program and fiscal staffs, as well as testimony offered at a public hearing in accordance with 10 CFR Part 440.15(d). In accordance with these minimum guidelines, a potential temporary subgrantee must:

- be a not-for-profit, legally incorporated organization, or a unit of local government, or the designated representative of an Indian tribal organization.
- if a not-for-profit organization, meet the charities registration requirements of the State of New York.
- be in legal and financial compliance with requirements and regulations established under State and Federal law.
- provide a list of the current board of directors or governing body, bylaws and other documents concerning the structure and operation of the organization.
- provide proof that the organization has been responsive to the needs of the community by

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<sup>4</sup> [New York State \(ny.gov\)](https://www.ny.gov) WAP State Plan Program Year 2022 p.3

citing the programs and services in the energy or human services area that it has implemented; or be able to demonstrate that the organization has the potential to provide such services in an efficient and responsible manner.

- demonstrate special expertise for providing energy conservation programs including management capability, technical skills, outreach capabilities, etc.
- show experience in housing and construction management-oriented programs.
- submit a detailed budget and narrative work plan showing how the project will be carried out. The budget should list all personnel, including volunteer and paid staff, who will be associated with the program. The work plan will detail how the project will be implemented. Potential weatherization subgrantees must also show a production and expenditure plan, specifying whether subgrantee crews, subcontractors, or a combination of the two will be used. New subgrantees will be expected to meet or exceed the work plan goals they propose.

In making awards, DHCR will give priority to temporary subgrantees who serve a DAC census tract. Participating in the apprentice program and placing apprentices within their organization will be a requirement of joining the subgrantee network.

DHCR will award funds to a temporary subgrantee based on subgrantee applications for PY 2023 and geographic need. DHCR intends to add approximately 5-10 additional temporary subgrantees in various parts of the state, based on geographic need, of which at least 40% of funds will be prioritized for DAC areas based upon interest and capacity.

DHCR intends to add two additional subgrantees for workforce development through a training and technical assistance contract within the CUNY and SUNY networks. Neither will be responsible for unit production directly.

Existing Subgrantees will request their allocated funding through an internal WAP application process. Those who request and receive BIL funding will receive a contract for an initial two-year period (2023-2024) and upon successful delivery of the program and evaluation by program may renew for an additional two-year (2025-2027) period, with a potential one-year extension possible during the BIL grant period unless the subgrantee withdraws, or when HCR monitoring of the subgrantee indicates serious or repeated deficiencies. Failure by the subgrantees to correct deficiencies found in monitoring may warrant increased training and technical assistance, further increased levels of monitoring, corrective action plans, or in the most severe cases a formal warning notice that may lead to termination. When serious compliance and production concerns arise, DHCR will follow the guidance outlined in the WAP PY 2022 State Plan.

#### **II.4. Workforce Development**

New York WAP currently contracts with the subgrantee network and two technical training contractors to deliver program services at the local level. HCR intends to use a significant portion of the \$50 million in training and technical assistance funds from BIL funding to develop a robust and comprehensive workforce development plan statewide.

DHCR will partner with CUNY and SUNY and their associated labor schools to develop a 1,000-hour 12 month long certified apprenticeship program. This program will be broken into

12 months of training courses followed by 6 months of on-the-job training with a participating subgrantee. The program will be modeled on the existing success of the partnership between the City of New York employees and Department of City Administrative Services. Program education elements will include building operator training, energy manager training, training on indoor air quality impacts, Society of Heating, Refrigeration and Air Conditioning Engineering standards, solar installation, basic construction management, green roof installation, and much more. Upon completion of 6 months and 1000 hours of coursework, students will be placed with an apprenticeship at a participating subgrantee.

The program will conduct outreach through community colleges, technical schools, and high schools to capitalize on strengthening the trades work force. Additionally, partnerships with Climate Corps and AmeriCorps will be explored.

The student populations served by CUNY and SUNY align with Justice40 criteria; all CUNY campuses are designated minority-serving institutions (MSI)<sup>6</sup>. Additionally, both university systems will monitor the program participants for outcome data. This program will aim to provide:

- technical training on electrification and pre-electrification interventions in a home to help increase the qualified workforce in a state that will assist in the implementation of the fuel-switching electrification initiatives also detailed in the application
- prioritization of training individuals historically under-represented in the clean energy and weatherization fields
- partnerships with local unions, community colleges, community-based organizations, and minority-, women-, and veteran-owned or led businesses or organizations to deliver a high-quality workforce development program

## **Section III - Program Implementation**

### **III.1. Production**

HCR will enter new two-year contracts with each subgrantee in 2023 to provide BIL funded weatherization services. These contracts will be divided into defined budget periods, referred to in the contract as “program years,” and will include all current requirements for production, expenditure, closeout, and reporting. These contracts will include BIL funds only; payments made during the year are based on funds encumbered at the start of the budget year. D HCR maintains copies of executed contracts and amendments to confirm subgrantee acknowledgement of current-year terms and conditions.

The minimum number of BIL funded units to be weatherized will be specified in the contract with each subgrantee. The individual cost per BIL unit for each subgrantee will be determined prior to the start of the program year, and is based on local conditions, such as labor costs, travel requirements and the predominant building type in the subgrantee’s service area (single family, multifamily or mobile home). As per DOE guidance, the average cost per unit for BIL is limited to \$8,009. The minimum number of units to be completed by each subgrantee will be determined using the following formula:

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<sup>6</sup> [ED: Lists of Postsecondary Minority Institutions](#)

$\frac{\text{total allocation} \times .82}{\text{average cost per unit}} = \text{contract production requirement (materials, labor, and program support)}$

An average of 82 percent of each subgrantee's allocation is reserved for administrative and capital expenses, health and safety work, financial audits, liability insurance, and technical assistance, leaving 82 percent available for energy efficiency measures. For example, if a subgrantee is allocated \$500,000 and the subgrantee's average cost per unit is \$8,009, the minimum number of units the subgrantee is required to complete in the program year is 52:  
 $\frac{\$500,000 \times .82}{\$8,009 \text{ per unit}} = 52 \text{ units}$

HCR anticipates producing 18,000 units for the duration of the 5-year BIL program while expending at least \$144 million directly for production. The initial 5400 of those will be completed by the end of program year 2 in accordance with our program milestones.

### III. 2. Energy Savings

The BIL program will utilize the DOE energy saving algorithm as per WPN 22-1 p. 25. In accordance with CLCPA standards, the BIL Program will also coordinate methodologies with NYSERDA for state reporting consistency.

<b>Table 4 DOE Algorithm</b>		
<b>DOE Program</b>	<b>Amount</b>	<b>Line</b>
Total DOE State Weatherization Allocation for Program Operations	289714086	a
Total Cost associated with Administration, T&TA, Financial and Energy Audits or 15 percent of allocation	144857043	b
Subtract the amount entered in line (b) from line (a), for a total Federal (DOE) funds available to weatherize homes	144857043	c
State Average Cost per Unit or National WAP Program Year Average Cost per Unit	8009	d
Divide the amount entered on line (c) by the amount entered on line (d), for Total Estimated Homes to be Weatherized	18086.78274	e
Multiply (e) by 29.3 MBTU* for Total Annual Estimated Energy Savings resulting from DOE appropriated funds	529942.7344	f
<b>All Funding Sources</b>		
Total funds (e.g., DOE WAP, State, Leveraged, LIHEAP, and other non-Federal sources of funds) used by the Grantee to weatherize homes	289714086	g
Total cost associated with the administration of Weatherization funds or 15% of total funds available to weatherize homes	144857043	h
Subtract the amount entered in line (h) from line (g), for total funds available to weatherize homes	144857043	i
State Average Cost per Unit or National WAP Program Year Average Cost per Unit	8009	j
Divide the amount entered on line (i) by the amount entered on line (j), for Total Estimated Homes to be	18086.78274	k
Multiply (k) by 29.3 MBTU* for Total Annual Estimated Energy Savings resulting from all funding sources	529942.7344	l

### III. 3. Public Hearings

Pursuant to 10 CFR Part 440.14 (1), HCR is following a public process to receive input on the proposed State Plan. A public hearing on the 2022 BIL State Plan was held September

12, 2022, with public notice provided 10 days prior to the hearing date. The hearing was conducted by WebEx video conference. Information on accessing the meeting is available on the WAP website at <https://hcr.ny.gov/weatherization-providers>. Copies of the hearing notice were widely distributed and made available on the HCR web site <https://hcr.ny.gov/weatherization-providers>.

Copies of the proposed State Plan will be emailed to all current subgrantees and to other interested parties. Copies may be obtained directly by writing to: Homes and Community Renewal, Weatherization Assistance Program, 38-40 Hampton Plaza, Albany, New York 12207. The Plan will be available on the HCR web site at <https://hcr.ny.gov/weatherization-providers>. Comments on the plan will be accepted through the date of the public hearing.

## **Section IV - Program Management**

### **IV.1 Milestones**

DHCR has developed programmatic milestones for years two through five of the grant periods to successfully deliver BIL funds, develop unit production, reduce carbon emissions, expand access to energy efficiency work scopes, and increase the capacity of the workforce for green jobs throughout New York State. These milestones fall under the following thematic areas: training and technical assistance, grantee procurement, grantee staffing, systems/information management, unit production, and fund expenditure.

#### ***1. Training & Technical Assistance***

DHCR will develop a robust training program and enhance our training and technical assistance (T&TA) offerings. After receiving the initial 15% of funding for BIL, DHCR will conduct a training needs assessment and survey of our network and its' market. This survey will be done in collaboration with our existing training and technical assistance partners, NYS DOL, and a significant sampling of municipalities throughout the state. Drawing from NREL's existing survey results on training and employment needs for the national network, DHCR will design a survey to capture both the current and potential future needs of the network.

In addition to a training needs assessment survey, DHCR is currently working on addressing capacity building within our subgrantee network to expand our services within the 62 counties where weatherization services are provided. To support the growth of our subgrantee network, we would like to begin with a survey to identify the courses and training needing for their businesses to grow. Currently, many of our subgrantees are understaffed and the challenges of retaining and expanding well trained staff are a hindrance to production expansion.

DHCR will work with our technical and training assistance providers to identify and provide capacity building training and business development workshops for the subgrantee network. Through a series of surveys, meetings, and data analysis we will assess the subgrantees that are willing and ready to grow for a pilot training program. We anticipate the subgrantee network growing at an uneven rate based on demand in their service area. However, on average the goal of our workforce development and

capacity building programs are to increase subgrantee staffing by 5-10%. DHCR will encourage the network to ramp up their staff over the initial 18-month period of the program by offering trainings and expediting contracts.

DHCR will allocate up to \$25.5 million to SUNY and CUNY workforce development partners, \$17.5 million for existing network TTA providers, and \$5 million to the weatherization subgrantee network.

### **January – March 2023**

The T&TA survey and analysis will be complete with the results released by February 2023.

The capacity building and business development survey is intended to be complete, and results released by January 2023.

The results of both surveys will be used to develop capacity building and training plans in coordination with our technical assistance partners and our new academic partners from state and city institutions.

### **April – June 2023**

During this time, our workforce development partners will use these surveys to tailor their certification program to suit the network's needs. New York has been actively supporting the development of a green workforce to meet the challenges posed by climate change, constraints on energy supply, high energy prices, and expansion of the energy efficiency and alternative energy industries.

### **2023-2025:**

Through a partnership with SUNY and CUNY, upon completion of a 12-month certification program, enrolled students will be placed with a six-month paid apprenticeship with a matching subgrantee partner. Upon completion of the first wave of apprentices, program will work to conduct an evaluation of the plan to identify lessons learned prior to launching the next cohort.

## **2. *Grantee Procurement***

Existing subgrantees will receive funding each year unless the subgrantee withdraws, or DHCR monitoring of the subgrantee indicates serious, irresolvable problems. DHCR program and fiscal monitoring examines the overall competence of subgrantees regarding expenditure of grant funds, production, work quality, and compliance with Federal and State laws, regulations, policies, and procedures. When serious concerns arise, a determination is made on the subgrantee's ability to continue providing weatherization services.

Due to the significant increase in production and annual expenditure that will result from BIL, DHCR has determined that additional subgrantee capacity is needed. DHCR will conduct additional outreach and provide public notice to identify new temporary

providers. DHCR will expand public outreach to Tribes and First Nations to operate as subgrantees in DAC areas. DHCR will solicit interest from temporary subgrantees through a competitive selection process.

DHCR will review performance and production metrics of our current subgrantee network representing the 62 counties in New York State. After initial recommendations are drawn from the data review, we will use this information to shape a conversation with the PAC to assess statewide needs and overall capacity. Based on this assessment we will determine which, if any service territories need to be modified and where to prioritize our outreach campaign for temporary subgrantees.

Temporary subgrantees will be asked to submit a budget and workplan as part of their application. The budget should list all personnel, including volunteer and paid staff, who will be associated with the program. The work plan will detail how the project will be implemented. Potential weatherization subgrantees must also show a production and expenditure plan, specifying whether subgrantee crews, subcontractor, or a combination of the two will be used. New subgrantees will be expected to meet or exceed the work plan goals they propose.

### **October 2022-January 2023**

Application process will be designed and pool of eligible existing subgrantees identified based on capacity, compliance record, and good standing.

Applications distributed with maximum allocation amounts will be publicly released and a training session will be offered for subgrantees.

Results released in January.

### **January 2023 -July 2023**

Enter contract with subgrantees

Temporary subgrantee outreach and public notice will be completed by March of 2023 and applications will be due by July of 2023. Temporary subgrantees will submit a detailed budget and narrative work plan showing how the project will be carried out.

### **August 2023-October 2023**

Enter contract with temporary subgrantees

Launch workforce development program with temporary TTA providers

### **3. DHCR/Grantee Staffing**

DHCR anticipates hiring approximately 25 full time staff to support BIL planning and implementation throughout New York State. Staff will be distributed between fiscal, construction field representatives, policy, and data teams. DHCR has completed the staffing plan and will move forward upon receipt of our initial 15% of funding for BIL. Staffing will be primarily full-time staff, with approximately 4 consultants to support Davis Bacon and Buy American provisions of BIL.

### **October 2022- March 2023**

Hire and onboard deputy program manager, budget program manager, T&TA program manager and contract program manager.

### **April 2023-September 2023**

Hire and onboard project managers, accountants, energy conservation specialists, and contract specialists.

DHCR will encourage subgrantees to use the NYS and NYC MWBE contractors lists where applicable and to expand the contractor network through improving coordination with trade schools, unions, and NYS DOL.

#### **4. *Information Systems/Policy Management***

DHCR will create a program evaluation metric framework with the support of consultants. At the end of the first program year, DHCR will draft an RFP and hire an external team to assess the metrics we have outlined as program success at the onset of BIL. Updating the reporting system, database, and tracking pipeline development will begin in the initial program year and be ongoing throughout the five-year term of BIL.

#### **5. *Production***

DHCR will produce 30% of the total estimated unit count for program by the end of program year 2. These 5,400 units will be completed while expending a minimum of twenty percent of program funds and having initiated workforce training for apprentice participants.

### **IV. 2. Monitoring**

All weatherization work completed by subgrantees in New York is inspected by the subgrantee before it is presented to DHCR. After the work is presented to DHCR, field staff visit subgrantees to inspect a sample of the dwelling units that were weatherized (depending on the type of work performed) to ensure that the dwelling units reported have been completed in accordance with all State and federal program requirements.

DHCR plans on significantly increasing resources assigned to the Program to ensure that BIL funds are implemented in compliance with the transparency and accountability provisions of the Law. The proposed plan will greatly increase the capacity of field staff, fiscal staff, support staff, staff assigned to prevailing wage compliance, and staff assigned to training.

HCR will track and monitor the BIL per requirements, as follows:

- Subgrantees will be required to report/submit: the building address, housing type, year built, number of units, list of specific measures/repairs, and the associated costs.
- Monitoring will be consistent with HCR's WAP State Plan. Every unit must receive a successful Quality Control Inspection to be considered completed.
- HCR will track and report the units receiving BIL, including: the building addresses, housing types, number of units, date of WAP applications, and leveraged funds expended for each building or unit.
- Full report on BIL annually.

### **IV 3. Justice 40 (Disadvantaged Communities)**

Justice 40 is intended to ensure that 40% of the benefits of BIL are administered to disadvantaged communities. This is in alignment with NYS initiative, the Climate Leadership and Community Protect Act of 2019 (CLCPA). New York State DHCR is currently approaching this standard for all its projects and will continue to do so for BIL. Utilizing NYS's disadvantaged communities (DAC) map as a prioritization tool for projects, layered with our current income lenses will ensure that a minimum of 40% of the benefits of BIL are distributed to DACs. Additionally, DHCR will work to ensure that temporary subgrantees, the workforce development program, and subcontractors meet the Justice 40 standard. The workforce development partnership with CUNY will enhance Justice 40 goals due to MSI designation.

Identifying temporary subgrantees to support the implementation of BIL will be conducted with a focus on Justice 40. Priority will be given to those homes located in disadvantaged communities as defined by NYS and aligned with the goals of the federal Justice 40 Initiative. Disadvantaged communities will include communities located within census block groups that meet the HUD 50% Area Median Income threshold that are also located in a NYS Department of Environmental Conservation Potential Environmental Justice Area or are located within a NYS Opportunity Zone.

Further priority will be given to those applicants having waited the longest for WAP and for the appropriateness of the proposed work, as determined by HCR. Priority will also be given to households with undue or excessive energy burden relative to their total household income, or as identified by HCR as being at risk within the NYS affordable housing portfolio

### **IV.4. Type of Work**

NYS Weatherization Program permits various types of energy efficiency and health and safety measures in compliance with federal regulations and included in the NYS WAP State Plan. NYS is committed to achieving 2 million Climate Friendly Homes, as stated in Governor Hochul's 2022 State of the State Address and will utilize BIL funds to implement carbon reduction statewide to help contribute towards this state goal and initiative where feasible within WAP regulations.

Generally, the work will be classified through three work scope types:

- Full Electrification (heating and domestic hot water systems),
- Partial Electrification (either heating or domestic hot water),
- Electrification Readiness (improving insulation, air sealing, and ventilation systems, health & safety)

Other than health and safety measures, only those measures with a savings-to-investment ratio of 1.0 or greater can be installed by subgrantees. Fuel switching will be allowable when the site-specific energy audit demonstrates the cost effectiveness of the fuel switch over the life of the measure as indicated by the SIR. If a heat pump or other combined heating-and-cooling system is to replace a heating-only or cooling-only system, no savings will be attributed to the previously non-existent system, but that all the costs of running the system throughout the year will be included in the audit.

In accordance with the carbon reduction goals of the NYS Climate Leadership and Community

Protection Act, DHCR will advocate and install renewable energy systems and electrification systems where the savings to investment ratio allows. Any materials used must meet the specifications listed in 10 CFR 440, Appendix A, or otherwise be approved by DOE for use in the program. Subgrantees proposing installation of renewable energy systems will be required to obtain prior approval from the appropriate DHCR regional supervisor.

DHCR will also encourage subgrantees to consider innovative measures, such as small-scale solar, geothermal, and green roofs and will seek DOE approval to include these measures as special projects.

New York will also permit fuel switching on a limited basis pending approval from DOE during the program year. Due to the relatively high cost of electricity in the State and the prevalence of electrically heated rental units occupied by low-income households cost savings will be considered and calculated prior to switching. New York will also explore the feasibility of additional measures, such as freezer replacement, domestic hot water fuel conversion, and geothermal. These items will be subject to DOE approval.

- **Energy Audits**

The work done in each unit will be determined by a DOE-approved energy audit. In DAC areas and on units that are Priority List eligible, work will be done in accordance with the priority list established audit. Weatherization subgrantees in New York use the **Targeted Investment Protocol System (TIPS)** energy audit to analyze building energy usage and set priorities for weatherization work in one- to four-family buildings and the **Energy Audit Using the Queens Information Package (EA-QUIP)** for this purpose in multi-family buildings.

New York also has DOE approval for use of the **Targeted Residential Energy Analysis Tools (TREAT)** Energy Audit, which was developed by the New York State Energy Research Development Authority (NYSERDA). The TREAT software can be used for one-to-four-unit buildings, mobile homes, and multi-family buildings. Subgrantees using TREAT for NYSERDA programs, or in buildings that have had TREAT audits conducted for other programs, can also use TREAT for Weatherization, to avoid the need for multiple audits. TIPS and EA-QUIP audits will continue to be used for most buildings assisted by the program.

DHCR may, upon request, provide training on TREAT audits, with NYSERDA's assistance, so that all subgrantees can become familiar with its use. This will facilitate further coordination between the Program and New York State's systems benefit charge programs and provide opportunities for subgrantees to leverage additional funds in the Program. DHCR may also issue a Request for Qualifications to identify additional audit service providers. DHCR also has implemented a quality control and review process for subgrantees. Subgrantees will not perform their own quality control inspection if they have conducted the audit.

- **Mobile Homes**

There are approximately 170,000 mobile homes in New York. About 4% of all units outside New York City are mobile homes. New York uses the TIPS audit process to

determine mobile homework scopes. In the past two years DHCR has conducted a series of training sessions intended to familiarize subgrantees with the use of TIPS in mobile homes. Mobile homes may be eligible for the priority list energy audit.

- **Rental Housing**

In accordance with DOE grant guidance to limit undue or excessive enhancement to the value of rental dwelling units, New York requires subgrantees to solicit an investment in the weatherization work from building owners when assisting rental units. Owners who are not themselves eligible for Program assistance are required to invest in the cost of the weatherization services provided to their buildings. Owner investment will be determined on a case-by-case basis.

- **Health and Safety**

DHCR has developed and implemented protocols designed to identify and correct, where allowed by DOE rules, health and life safety concerns in dwelling units being weatherized. Up to ten percent of the allocation of DOE BIL Program funds will be used to mitigate energy-related health and safety problems. DOE funds will be used to assure that all dwelling units weatherized will receive smoke detectors and, where appropriate, carbon monoxide detectors and address existing ASHRAE standards per DOE and WAP requirements.

#### **IV. 5. Special Projects**

DHCR will focus on up to three special project areas. BIL provides an opportunity to explore district energy geothermal, community based solar, in addition to a project that capitalizes on using green roofs as insulation while paired with solar. Subgrantees will have the opportunity to propose work on a project within one of these topic areas only after they have met and exceeded their contract production goals.